



Mark Young  
New York Metro

October 31, 1997

To: NYM Division Managers  
NYM Retail Managers  
Jim Guaneri

Subject: Retail Representatives / Overtime Issues

Dear Managers,

Over the past couple of years, there have been numerous conversations on Overtime pay as it relates to the Retail Representative position. Just as information, here's a few key points:

\* Compensable Time:

- Includes all time spent by the employee in their usual or principal activities as well as extended travel time.
- Normal travel time from home to work is **NOT** compensable.
- However, to work travel on a special one-day assignment to another territory is normally compensable, to the extent it exceeds normal travel time from home to the usual place of work.

\* Activities that an employee engages in at home are compensable.

- Cleaning and restocking the company vehicle.
- Checking, sending and/or responding to voice-mail.
- Handling administration and correspondence.

\* The Administrative Body authorized to enforce the FLSA is the Wage & Hour Division of the Department of Labor. Management must ensure that Retail Representatives report all hours worked.

With the above points on what is considered compensable time, I think everyone can see the importance that all overtime work is accounted for on the expense report. Let me bounce an option off of everyone that will cover the normal time spent by the Retail Rep's on organizing their vehicles, administration and most extra hours that could be worked weekly on extra driving time.

Proposed new Retail Representative Work Week:

- \* Monday to Thursday 8am to 5pm work days
- \* Friday 8am to noon work day ..... noon until 5pm to be used for:
  - Cleaning company vehicle
  - Administrative (to include expense report)
  - Voice-Mails
  - Etc.

Let me know what you think ..... we can begin this policy immediately.

Sincerely,

Mark Young

51842 4180